

THURSDAY, APRIL 8, 1999

EIGHTH LEGISLATIVE DAY

FIRST EXTRAORDINARY SESSION

The House met at 9:00 a.m. and was called to order by Speaker Pro Tempore DeBerry.

The proceedings were opened with prayer by Representative White.

Representative White led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McAfee; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 12: Rep(s). Curtiss as prime sponsor(s).

House Resolution No. 13: Rep(s). Hood and Eckles as prime sponsor(s).

House Joint Resolution No. 27: Rep(s). Hargett as prime sponsor(s).

House Joint Resolution No. 20: Rep(s). Chumney as prime sponsor(s).

MESSAGE FROM THE SENATE
April 8, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 32, 33, 34, and 35; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 32 -- Memorials, Professional Achievement - Hal Denton, Cookville High School Teacher of the Year. by *Burks.

Senate Joint Resolution No. 33 -- Memorials, Death - Ernest "Black Cat" Rasar. by *Crowe, *Haun, *Crowe.

Senate Joint Resolution No. 34 -- Memorials, Academic Achievement - Michael Carter, Valedictorian, Stewart County High School. by *Kurita.

Senate Joint Resolution No. 35 -- Memorials, Recognition and Thanks - Kris Charles Bull. by *Kurita.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 12, 1999:

House Resolution No. 14 -- Memorials, Retirement - James Roy Vinson. by *Kent.

House Joint Resolution No. 32 -- Memorials, Recognition and Thanks - Rotary International Group Study Exchange members from France. by *Sargent, *Williams (Williamson).

House Joint Resolution No. 33 -- Memorials, Retirement - C. Douglas Cluck. by *Jackson.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 12, 1999:

Senate Joint Resolution No. 28 -- Memorials, Retirement - F.H. "Hack" Harbin. by *Atchley, *McNally, *Burchett.

Senate Joint Resolution No. 30 -- Memorials, Sports - 1998-1999 Moore County High School boys' basketball team, TSSAA Class A state champions. by *Cooper.

Senate Joint Resolution No. 32 -- Memorials, Professional Achievement - Hal Denton, Cookville High School Teacher of the Year. by *Burks.

Senate Joint Resolution No. 33 -- Memorials, Death - Ernest "Black Cat" Rasar. by *Crowe, *Haun, *Crowe.

Senate Joint Resolution No. 34 -- Memorials, Academic Achievement - Michael Carter, Valedictorian, Stewart County High School. by *Kurita.

Senate Joint Resolution No. 35 -- Memorials, Recognition and Thanks - Kris Charles Bull. by *Kurita.

CONSENT CALENDAR

House Resolution No. 9 -- Memorials, Retirement - Charles Clinard. by *Harwell.

House Resolution No. 11 -- Memorials, Retirement - Dr. John S. Gaines. by *Mumpower.

House Resolution No. 12 -- Memorials, Public Service - Ashley Miner, Prudential Spirit of Community Award, Distinguished Finalist. by *Rhinehart.

House Resolution No. 13 -- Memorials, Personal Occasion - Carol Cook. by *Beavers.

House Joint Resolution No. 25 -- Memorials, Death - James Estep, Sr. by *Goins.

House Joint Resolution No. 26 -- Memorials, Professional Achievement - John Earl Wells, 1998-1999 National Distinguished Principal, Tennessee Association of Elementary and Middle School Principals. by *Naifeh.

House Joint Resolution No. 27 -- Memorials, Professional Achievement - Grant Shipley, Principal of the Year. by *Naifeh.

House Joint Resolution No. 28 -- Memorials, Recognition and Thanks - Ms. Dean Shoaf and Covington Elementary School, 1998-99 Blue Cross Blue Shield of Tennessee WellKid Competition, second place. by *Naifeh.

House Joint Resolution No. 29 -- Memorials, Heroism - Charles Beall. by *Hargett.

House Joint Resolution No. 30 -- Memorials, Public Service - St. Peter Manor, 20th anniversary. by *DeBerry J, *Armstrong, *Towns, *Brown, *Brooks, *Bowers, *Cooper B.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 98
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Odom moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 31 out of order, which motion prevailed.

House Joint Resolution No. 31 -- Memorials, Recognition and Thanks - Rebecca M. Goodman. by *Odom.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Odom, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Jackson moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 38 out of order, which motion prevailed.

Senate Joint Resolution No. 38 -- Memorials, Recognition and Thanks - Fairfield Church of Christ, 50th Anniversary. by *Springer.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Jackson, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

April 8, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 17, 18, 19, 20, and 21; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

April 8, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 25, 26, 27, 28, 29, 30, and 31.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 8, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 38; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

April 8, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 38.

ENROLLED BILLS

April 8, 1999

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 13, 17, 18, 19, 20, 21, and 24; also, House Resolution(s) No(s). 9, 10, 11, 12, and 13.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 8, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 13, 17, 18, 19, 20, 21, and 24; also House Resolution(s) No(s). 9, 10, 11, 12, and 13.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 8, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 13, 17, 18, 19, 20, 21, and 24; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 8, 1999

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 13, 17, 18, 19, 20, 21, and 24.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 8, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 24, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, April 12, 1999.